

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2008-052931

06/11/2012

HONORABLE DOUGLAS GERLACH

CLERK OF THE COURT
C. Vigil
Deputy

IN RE THE MATTER OF
REBECCA R AHRENS

ELLEN AIKEN

AND

ROBERT JAMES MILLER

ROBERT JAMES MILLER
1051 S. DOBSON ROAD
#12
MESA AZ 85202

AG-CHILD SUPPORT-NORTH
CENTRAL OFFICE
CONCILIATION SERVICES-NE
FINANCIAL SERVICES-BILLING-CCC
IV-D JUDICIAL ASSISTANT - NE
TASC - PHOENIX

MINUTE ENTRY

Northeast Facility, Courtroom 104

11:39 a.m. This is the time set for a Resolution Management Conference. Petitioner, Rebecca Ahrens, is present with counsel, Ellen Aiken. Respondent, Robert Miller, is present on his own behalf.

A record of this proceeding is made by audio and/or video in lieu of a court reporter.

Discussion ensues between the Court, counsel and Respondent.

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With regard to Father's Request to Modify Child Support, this is a IV-D matter, and based thereon,

IT IS ORDERED referring this matter to the IV-D Commissioner for all child support issues.

Pursuant to A.R.S. §25-403.3, the request to modify custody cannot be granted. Therefore,

IT IS FURTHER ORDERED denying Father's request to modify custody.

IT IS FURTHER ORDERED the parties shall participate in a Parenting Conference. The parties will be advised by separate minute entry of the name and telephone number of the Parenting Conference Provider and other relevant information regarding the Parenting Conference. The parties shall comply with all instructions and directives issued by the Provider.

THE COURT FINDS that both parties are unable to afford to pay the entire Parenting Conference Fee of \$300 per party today, but are eligible to make monthly payments pursuant to a payment plan.

Therefore,

IT IS ORDERED that both parties shall pay their portion of the Parenting Conference Fee at a rate of \$50 per month to the Clerk of the Court beginning August 1, 2012.

WARNING

IF YOU FAIL TO APPEAR AT THE PARENTING CONFERENCE AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. THE PARENTING CONFERENCE PROVIDER IS AUTHORIZED TO SCHEDULE THE CONFERENCE AND ACCOMMODATE REASONABLE SCHEDULING REQUESTS FROM THE PARTIES. IF YOUR SCHEDULING REQUEST IS NOT PERMITTED BY THE PROVIDER AND YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE CONFERENCE AT LEAST THREE FULL COURT DAYS BEFORE THE CONFERENCE. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A REQUEST TO THE JUDGE TO VACATE THE CONFERENCE AND WAIVE THE FEE IN ORDER TO AVOID FEE COLLECTION.

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IT IS FURTHER ORDERED that Father shall appear at an appropriate TASC facility on or before June 15, 2012 for a Hair Follicle Test. The Hair Follicle Test shall be for Screen A (full spectrum of 9 drugs). The result of the Hair Follicle Test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a copy of the test result.

IT IS FURTHER ORDERED referring Father to TASC for a Lifestyle Assessment for Drugs and/or Alcohol. Father shall contact TASC to set up the appointment.

IT IS FURTHER ORDERED:

1. An evidentiary hearing on Father's request to modify parenting time will take place as follows:

a. **Date** – October 24, 2012

b. **Time** – 1:30 p.m.

c. **Location** – Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street
Courtroom 104
Phoenix, Arizona 85032

2. **Time Set Aside for You** – The Court has set aside two (2) hours for this hearing. You will be allowed 55 minutes each. Ariz. R. Fam. L. P. 77(C)(5). The time allocated to you includes the time required for your own testimony; testimony of other witnesses from whom you would like the Court to hear; cross examination of the other party and the other party's witnesses; objections to any of the other party's evidence; and any opening statement.

3. Not later than one week before the hearing, both parties shall exchange and file with the Court their proposed parenting plan which sets forth in as much detail as possible the parenting time schedule that party wants the Court to adopt. The plan should also include the names and descriptions of proposed supervisors in the event the Court orders Father's parenting time to be supervised.

4. **Exhibits** – Anything in writing or that can be copied onto paper (such as e-mails, text messages, and photographs) that you will want the Court to consider requires you to do the following: (i) prepare a list of each such item, (ii) copy each such item, and (iii) provide a copy

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of the list and a copy of each item on the list to the other party at least 15 days before the hearing date. At the end of the list, you must certify the manner in which you provided the list and copies of everything listed to the other party (usually by mail or personal delivery).

In addition, a complete set of those exhibits must be delivered to the Clerk of this Division at least 7 days before the hearing date so that the Clerk can assign the “official” numbers to those exhibits. If you do not do so, then each of your exhibits will have to be assigned its official number as the hearing progresses. That will take time, and the time spent doing that will come out of the time allocated to you. Should that happen, you will have less time to present your case than you will have if you submit your exhibits to the Clerk by the 7-day deadline. In addition, the exhibits must be separated from one another with a colored sheet of paper on which the exhibit number is written. If you do not do this, the exhibits will be returned to you.

Finally, you must bring an additional, complete set of your exhibits to the hearing for the Judge. Again, separate each exhibit with a colored divider page with the “official” exhibit number written on the page. If you do not provide the Judge with a set of your exhibits, you will likely have less time to present your evidence than you planned because the Judge will have to interrupt the witness’ testimony to look at the exhibit or take time to look at the exhibit after your witness has testified about it instead of being able to follow along while the witness testifies.

11:59 a.m. Hearing concludes.

FILED: Acknowledgment and Notice of Parenting Conference (2)

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.